IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 6703 of 2004

Between:

Mrs. Ch. Vijaya W/o. Ramesh, Occ:Business,
Licensee M/s., Vijaya Wines, L.No. 379/98/99, Vissannapeta, Krishna District

..... PETITIONER

AND

1 The Commissioner of Prohibition and Excise, Nampally, Hyderabad.
2 The Superintendent of Prohibition and Excise, Krishna at Machilipatnam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records and issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the in action of the respondents in repaying the proportionate license fee to the petitioner for the period from 6-1-2002 to 31-3-2002 in respect of License No.379/98/99 of the petitioner is illegal, arbitrary and violative of Article 14 and 19 (1) (g) of Constitution of India and consequently direct the respondents to repay the proportionate license fee to the petitioner for the period from 6-1-2002 to 31-3-2002 in respect of License No.379/98/99

Counsel for the Petitioner: MR.VENKATA RANGADAS KANURI

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following:

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ORDER:-

Heard both the learned counsel and at their request, the writ petition itself is taken up for disposal at the stage of Interlocutory Application.

Though the petitioner sought to raise several contentions in regard to the entitlement of refund of proportionate license fee, however, the fact remains that the petitioner filed two representations dated 6-2-2002 and 28-3-2003 for the self same relief and the same are pending before second respondent. In view of the same, it is not necessary to go into the merits of the case. Suffice to direct first respondent to dispose of the said representations.

Accordingly, this writ petition is disposed of directing second respondent to dispose of the representations made by the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

01-10-2004.

stv/-

To

1 The Commissioner of Prohibition and Excise, Nampally, Hyderabad.
2 The Superintendent of Prohibition and Excise, Krishna at Machilipatnam

3 Two C.Cs. to G.P. for Prohibition and Excise, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

4 Two C.D.Copies.